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JUL 24 2008

In re Application of Depke et al. :
Application No. 10/806,201 : Decision on Petition
Filing Date: March 22, 2004 :
Attorney Docket No. 092970.0002 :

This is a decision on the petition under 37 CFR 1.137(b), filed April 11, 2008, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed January 10, 2007, which set a shortened statutory period for reply of three (3) months. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, the above-identified application became abandoned on April 11, 2007. A Notice of Abandonment was mailed on March 17, 2008.

The instant petition requests revival of the application. Petitioner has submitted the required petition fee of \$770. Petitioner has submitted a reply to the final Office action in the form of a RCE and submission. Petitioner has stated the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

Technology Center Art Unit 2188 will be informed of the instant decision and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
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